

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ANTHONY STEWARD,

Plaintiff,

v.

Case No. 11-15070
Honorable Denise Page Hood

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

/

**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION AND
GRANTING AGREED MOTION TO REMAND**

This matter is before the Court on Magistrate Judge Charles E. Binder's Report and Recommendation [Docket No. 16, filed June 20, 2012]. The Commissioner filed an Agreed Motion to Remand asking that the Court remand the case for further proceedings based on evidence of chronic liver disease and HIV infection [Docket No. 15, filed June 18, 2012]. Plaintiff concurred in the motion. The Magistrate Judge found that good cause supported the motion and recommended that the Court remand the case.

When examining a Magistrate's Report and Recommendation, 28 U.S.C. § 636 governs the standard of review. This Court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1). This Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." *Id.* For the reasons stated in the Magistrate

Judge's June 20, 2012 recommendation and report, the Court accepts and adopts the Magistrate's Judge's recommendation in its entirety.

Accordingly,

IT IS ORDERED that the Magistrate Judge Charles E. Binder's Report and Recommendation [**Docket No. 16, filed June 20, 2012**] is **ADOPTED** and **ACCEPTED** as this Court's findings of fact and conclusions of law.

IT IS FURTHER ORDERED that the Commissioner's Agreed Motion to Remand [**Docket No. 15, filed June 18, 2012**] is **GRANTED**.

IT IS FURTHER ORDERED that this action is **REMANDED** to the Commissioner for further proceedings.

DATED: June 28, 2012 _____
s/Denise Page Hood _____

DENISE PAGE HOOD
United States District Judge

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, June 28, 2012, by electronic and/or ordinary mail.

s/Tanya Bankston for LaShawn Saulsberry
Case Manager, (313) 234-5160